

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**VANESSA BAILEY,**

Plaintiff,

v.

**THE FIRST AMERICAN CORP., ET AL.**

Defendants.

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Case No.: RWT 10cv2275

**MEMORANDUM OPINION AND ORDER**

Plaintiff Vanessa Bailey initiated this action in the Circuit Court for Prince George's County, Maryland, and Defendant ATI Title Company, LLC removed it to this Court on August 19, 2010. See ECF Nos. 1 & 2. While Plaintiff has served Defendants ATI Title Company, LLC, John Singleton and Singleton, Gendler & Terrasa, see ECF Nos. 14 and 16, she has failed to serve a summons upon Defendants The First American Corporation, Rels Title Services, LLC, and Cary Moore.

Federal Rule of Civil Procedure 4(m) sets time limits for service of process: It provides:

If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m). If Plaintiff does not show good cause on or before January 22, 2011 for her failure to serve Defendants The First American Corporation, Rels Title Services, LLC, and Cary Moore within 120 days, the Court will on its own motion dismiss this action without prejudice against Defendants The First American Corporation, Rels Title Services, LLC, and Cary Moore.

On August 30, 2010, Defendants John Singleton and Singleton, Gendler & Terrasa filed a Motion to Dismiss count four of Plaintiff's Complaint for intentional infliction of emotional distress, see ECF No. 16, which Plaintiff opposed, ECF No. 21. On September 29, 2010, Plaintiff filed a Motion for Leave to Amend her Complaint to include a count of professional malpractice against Defendants John Singleton and Singleton, Gendler & Terrasa, ECF No. 23, which Defendants John Singleton and Singleton, Gendler & Terrasa opposed, ECF No 25.

Accordingly, it is on this 22<sup>nd</sup> day of December, 2010, by the United States District Court for the District of Maryland, hereby

**ORDERED**, that Plaintiff shall **SHOW CAUSE** on or before **January 22, 2011** why her Complaint should not be dismissed as to Defendants The First American Corporation, Rels Title Services, LLC, and Cary Moore for failure to serve them within 120 days; and it is further

**ORDERED**, that a hearing on the pending motions in this case is **SCHEDULED** for **March 7, 2011 at 3:00 p.m.**

/s/

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ROGER W. TITUS  
UNITED STATES DISTRICT JUDGE